



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

**HB4380**

by Rep. David McSweeney

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.64a-5

Amends the School Code with respect to State goals and assessment. Provides that the provision requiring the State Board of Education to administer no more than 3 assessments, per student, of English language arts and mathematics for students in a secondary education program applies until the expiration of any contracts entered into before the effective date of the amendatory Act between the State Board and the company or companies that operate the PARCC (Partnership for Assessment of Readiness for College and Careers) tests. Provides that after the expiration of any such contracts, the State Board shall enter into 2 separate contracts to administer 2 college and career ready determination examinations, including, but not limited to, one that is accepted by all of this State's public and private institutions of higher education, for the purpose of student application or admissions consideration. Specifies that each student must be offered the opportunity to choose between the 2 examinations. Sets forth provisions providing that the State Board is required to cover all expenses for each student to take one of the 2 examinations for the purpose of college application or admissions consideration. Provides that no State assessments other than these 2 examinations may be administered to students in a secondary education program after the expiration of any contracts entered into before the effective date of the amendatory Act between the State Board and the company or companies that operate the PARCC tests. Effective July 1, 2016.

LRB099 15858 NHT 40367 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Legislative intent. It is the intent of the  
5 General Assembly to set forth in law that:

6 (1) students ought to spend the maximum amount of time  
7 learning;

8 (2) time spent getting tested or preparing for tests  
9 threatens the ability of a school to perform as a place of  
10 learning; and

11 (3) existing non-PARCC (Partnership for Assessment of  
12 Readiness for College and Careers) standardized tests  
13 administered in high schools, including without limitation  
14 standardized tests used to test potential college  
15 applicants, provide adequate information to policymakers  
16 of the educational efficacy of each individual high school  
17 and school district and make additional testing redundant  
18 and unnecessary.

19 Section 5. The School Code is amended by changing Section  
20 2-3.64a-5 as follows:

21 (105 ILCS 5/2-3.64a-5)

22 Sec. 2-3.64a-5. State goals and assessment.

1           (a) For the assessment and accountability purposes of this  
2 Section, "students" includes those students enrolled in a  
3 public or State-operated elementary school, secondary school,  
4 or cooperative or joint agreement with a governing body or  
5 board of control, a charter school operating in compliance with  
6 the Charter Schools Law, a school operated by a regional office  
7 of education under Section 13A-3 of this Code, or a public  
8 school administered by a local public agency or the Department  
9 of Human Services.

10          (b) The State Board of Education shall establish the  
11 academic standards that are to be applicable to students who  
12 are subject to State assessments under this Section. The State  
13 Board of Education shall not establish any such standards in  
14 final form without first providing opportunities for public  
15 participation and local input in the development of the final  
16 academic standards. Those opportunities shall include a  
17 well-publicized period of public comment and opportunities to  
18 file written comments.

19          (c) Beginning no later than the 2014-2015 school year, the  
20 State Board of Education shall annually assess all students  
21 enrolled in grades 3 through 8 in English language arts and  
22 mathematics.

23          Beginning no later than the 2017-2018 school year, the  
24 State Board of Education shall annually assess all students in  
25 science at one grade in grades 3 through 5, at one grade in  
26 grades 6 through 8, and at one grade in grades 9 through 12.

1           The State Board of Education shall annually assess schools  
2 that operate a secondary education program, as defined in  
3 Section 22-22 of this Code, in English language arts and  
4 mathematics. The State Board of Education shall administer no  
5 more than 3 assessments, per student, of English language arts  
6 and mathematics for students in a secondary education program  
7 until the expiration of any contracts entered into before the  
8 effective date of this amendatory Act of the 99th General  
9 Assembly between the State Board of Education and the company  
10 or companies that operate the PARCC (Partnership for Assessment  
11 of Readiness for College and Careers) tests, with one. ~~One~~ of  
12 these assessments including ~~shall include~~ a college and career  
13 ready determination that shall be accepted by this State's  
14 public institutions of higher education, as defined in the  
15 Board of Higher Education Act, for the purpose of student  
16 application or admissions consideration. After the expiration  
17 of any contracts entered into before the effective date of this  
18 amendatory Act of the 99th General Assembly between the State  
19 Board of Education and the company or companies that operate  
20 the PARCC tests, the State Board of Education shall enter into  
21 2 separate contracts to administer 2 college and career ready  
22 determination examinations, including, but not limited to, one  
23 that is accepted by all of this State's public institutions of  
24 higher education, as defined under the Board of Higher  
25 Education Act, as well as all of this State's post-secondary  
26 educational institutions, as defined under the Private College

1 Act, for the purpose of student application or admissions  
2 consideration. Each student must be offered the opportunity to  
3 choose between the 2 examinations. Subject to appropriation,  
4 the State Board of Education is required to cover all expenses  
5 for each student to take one of the 2 examinations for the  
6 purpose of college application or admissions consideration. If  
7 the student chooses to take both examinations, the student or  
8 his or her parent or guardian is required to cover expenses for  
9 the other examination. No State assessments other than these 2  
10 examinations may be administered to students in a secondary  
11 education program after the expiration of any contracts entered  
12 into before the effective date of this amendatory Act of the  
13 99th General Assembly between the State Board of Education and  
14 the company or companies that operate the PARCC tests.

15 Students who are not assessed for college and career ready  
16 determinations may not receive a regular high school diploma  
17 unless the student is exempted from taking State assessments  
18 under subsection (d) of this Section because (i) the student's  
19 individualized educational program developed under Article 14  
20 of this Code identifies the State assessment as inappropriate  
21 for the student, (ii) the student is enrolled in a program of  
22 adult and continuing education, as defined in the Adult  
23 Education Act, (iii) the school district is not required to  
24 assess the individual student for purposes of accountability  
25 under federal No Child Left Behind Act of 2001 requirements,  
26 (iv) the student has been determined to be an English learner

1 and has been enrolled in schools in the United States for less  
2 than 12 months, or (v) the student is otherwise identified by  
3 the State Board of Education, through rules, as being exempt  
4 from the assessment.

5 The State Board of Education shall not assess students  
6 under this Section in subjects not required by this Section.

7 Districts shall inform their students of the timelines and  
8 procedures applicable to their participation in every yearly  
9 administration of the State assessments. The State Board of  
10 Education shall establish periods of time in each school year  
11 during which State assessments shall occur to meet the  
12 objectives of this Section.

13 (d) Every individualized educational program as described  
14 in Article 14 shall identify if the State assessment or  
15 components thereof are appropriate for the student. The State  
16 Board of Education shall develop rules governing the  
17 administration of an alternate assessment that may be available  
18 to students for whom participation in this State's regular  
19 assessments is not appropriate, even with accommodations as  
20 allowed under this Section.

21 Students receiving special education services whose  
22 individualized educational programs identify them as eligible  
23 for the alternative State assessments nevertheless shall have  
24 the option of taking this State's regular assessment that  
25 includes a college and career ready determination, which shall  
26 be administered in accordance with the eligible accommodations

1 appropriate for meeting these students' respective needs.

2 All students determined to be English learners shall  
3 participate in the State assessments, excepting those students  
4 who have been enrolled in schools in the United States for less  
5 than 12 months. Such students may be exempted from  
6 participation in one annual administration of the English  
7 language arts assessment. Any student determined to be an  
8 English learner shall receive appropriate assessment  
9 accommodations, including language supports, which shall be  
10 established by rule. Approved assessment accommodations must  
11 be provided until the student's English language skills develop  
12 to the extent that the student is no longer considered to be an  
13 English learner, as demonstrated through a State-identified  
14 English language proficiency assessment.

15 (e) The results or scores of each assessment taken under  
16 this Section shall be made available to the parents of each  
17 student.

18 In each school year, the scores attained by a student on  
19 the State assessment that includes a college and career ready  
20 determination must be placed in the student's permanent record  
21 and must be entered on the student's transcript pursuant to  
22 rules that the State Board of Education shall adopt for that  
23 purpose in accordance with Section 3 of the Illinois School  
24 Student Records Act. In each school year, the scores attained  
25 by a student on the State assessments administered in grades 3  
26 through 8 must be placed in the student's temporary record.

1           (f) All schools shall administer an academic assessment of  
2 English language proficiency in oral language (listening and  
3 speaking) and reading and writing skills to all children  
4 determined to be English learners.

5           (g) All schools in this State that are part of the sample  
6 drawn by the National Center for Education Statistics, in  
7 collaboration with their school districts and the State Board  
8 of Education, shall administer the biennial academic  
9 assessments under the National Assessment of Educational  
10 Progress carried out under Section 411(b)(2) of the federal  
11 National Education Statistics Act of 1994 (20 U.S.C. 9010) if  
12 the U.S. Secretary of Education pays the costs of administering  
13 the assessments.

14           (h) Subject to available funds to this State for the  
15 purpose of student assessment, the State Board of Education  
16 shall provide additional assessments and assessment resources  
17 that may be used by school districts for local assessment  
18 purposes. The State Board of Education shall annually  
19 distribute a listing of these additional resources.

20           (i) For the purposes of this subsection (i), "academically  
21 based assessments" means assessments consisting of questions  
22 and answers that are measurable and quantifiable to measure the  
23 knowledge, skills, and ability of students in the subject  
24 matters covered by the assessments. All assessments  
25 administered pursuant to this Section must be academically  
26 based assessments. The scoring of academically based



1 assessments shall be reliable, valid, and fair and shall meet  
2 the guidelines for assessment development and use prescribed by  
3 the American Psychological Association, the National Council  
4 on Measurement in Education, and the American Educational  
5 Research Association.

6 The State Board of Education shall review the use of all  
7 assessment item types in order to ensure that they are valid  
8 and reliable indicators of student performance aligned to the  
9 learning standards being assessed and that the development,  
10 administration, and scoring of these item types are justifiable  
11 in terms of cost.

12 (j) The State Superintendent of Education shall appoint a  
13 committee of no more than 21 members, consisting of parents,  
14 teachers, school administrators, school board members,  
15 assessment experts, regional superintendents of schools, and  
16 citizens, to review the State assessments administered by the  
17 State Board of Education. The Committee shall select one of its  
18 members as its chairperson. The Committee shall meet on an  
19 ongoing basis to review the content and design of the  
20 assessments (including whether the requirements of subsection  
21 (i) of this Section have been met), the time and money expended  
22 at the local and State levels to prepare for and administer the  
23 assessments, the collective results of the assessments as  
24 measured against the stated purpose of assessing student  
25 performance, and other issues involving the assessments  
26 identified by the Committee. The Committee shall make periodic

1 recommendations to the State Superintendent of Education and  
2 the General Assembly concerning the assessments.

3 (k) The State Board of Education may adopt rules to  
4 implement this Section.

5 (Source: P.A. 98-972, eff. 8-15-14; 99-30, eff. 7-10-15;  
6 99-185, eff. 1-1-16; revised 10-16-15.)

7 Section 99. Effective date. This Act takes effect July 1,  
8 2016.